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In re Application of )  
Simon Hastings Bittleston )  
Application No. 09/893,234 )  
Filed: June 26, 2001 )  
For: CONTROL DEVICE FOR )  
CONTROLLING THE POSITION OF )  
A MARINE SEISMIC STREAMER )

DECISION ON PETITION

This is a decision on the petition, filed March 25, 2003, via facsimile transmission and supplemented April 22, 2003, to withdraw the holding of abandonment of the above-identified application.

The petition is GRANTED.

This application was held abandoned for failure to respond in a timely manner to the restriction requirement of June 19, 2002. A Notice of Abandonment was mailed on December 9, 2002.

Petitioner states that an election was in fact timely filed. To support this assertion, petitioner has submitted a copy of a return postcard receipt which acknowledges receipt of an election along with a petition for an extension of time of five (5) months by the Patent and Trademark Office (PTO) on December 23, 2002.

The review of the application file reveals that the election were received and matched therewith. However, the election was not noticed by the examiner and the technical support staff. Consequently, the election was not properly entered in the file. The application is not abandoned in fact.

For above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn. Inconvenience to petitioner is regretted.

The application file is being forwarded to the technical support staff for processing the election.  
From there, it will be returned to the examiner for further prosecution.



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